

HOUSE JOINT RESOLUTION 149

By McCord

A RESOLUTION to propose an amendment to Article XI, Section 13 , of the Constitution of Tennessee, relative to the right to hunt and fish.

WHEREAS, the Legislature finds that hunting and fishing are honored traditions in the state of Tennessee; and

WHEREAS, from the time prior to statehood, citizens have enjoyed the bounty of Tennessee's natural resources, including hunting and fishing for subsistence and recreation. Indeed, hunting and fishing are a vital part of this state's heritage and economy and should be preserved and protected; and

WHEREAS, the legislative intent of this amendment is declared to be the following:

(1) Hunting and fishing for the taking of game and fish are a valued part of this state's heritage and should be preserved for the people;

(2) Citizens of this state should have the opportunity to take game and fish by traditional manner and means; however, game and fish management, including hunting and fishing, shall be consistent with the state's duty to honor this heritage and its duty to conserve and protect game and fish; and

(3) The right of the people to hunt and fish shall be subject to reasonable regulations and restrictions as the Legislature may prescribe; and

WHEREAS, the One Hundred Fifth General Assembly considered and passed House Joint Resolution No. 108 which proposed an amendment to Article XI, Section 13, of the Constitution of Tennessee relative to the right to hunt and fish; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED SIXTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that a two-thirds (2/3) majority of all the members of each house concurring, as shown by the yeas and nays entered on their journals, that Article XI, Section 13 of the Constitution of the State of Tennessee be amended by adding the following sentences at the end of the section:

The citizens of this state shall have the personal right to hunt and fish, subject to reasonable regulations and restrictions prescribed by law. The recognition of this right does not abrogate any private or public property rights, nor does it limit the state's power to regulate commercial activity. Traditional manners and means may be used to take non-threatened species.

BE IT FURTHER RESOLVED, That the foregoing amendment shall be submitted to the people at the next general election in which a Governor is to be chosen, the same being the 2010 November general election and the Secretary of State is directed to place such amendment on the ballot for that election.